

## **Remarks**

### **I. Summary of Office Action**

Claims 1-26 are pending in this case. Claims 1, 10, 19, 24 and 25 are independent claims.

Independent Claim 24 was rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,401,074 ("Sleeper").

Independent Claims 1, 10, 19 and 25 and corresponding dependent Claims 2-9, 11-18, 20-23 and 26 were rejected under 35 U.S.C. § 103(a) as being obvious from Sleeper in view of Official notice taken by the Examiner.

### **II. Summary of Applicant's Reply**

Applicant respectfully traverses the 35 U.S.C. §§ 102 and 103 rejections.

Applicant has amended Claims 1, 2, 10, 17 and 24 not in response to any rejection, but to place these claims in better form. No new matter has been added.

Applicant respectfully requests reconsideration and allowance of this case in light of the following remarks.

### **III. 35 U.S.C. § 102 Rejection**

Applicant's independent Claim 24 defines an apparatus for receipt generation that includes a coupon generator and a coupon image database. The coupon image database has accessible at least one coupon field for storage and retrieval of a coupon image. The coupon generator incorporates a related coupon image with purchase information for transmission to an output port. For example, the coupon generator may incorporate a coupon image associated with a coupon redeemable for one ride on a transit rail with

purchase information (e.g., price, quantity and description information) associated with a receipt for purchase of the ride or other related purchase (see e.g., applicant's specification, p. 6, ll. 13-22, p. 7, l. 20 to p. 8, l. 3, p. 9, ll. 13-21 and FIGS. 2 and 3).

Sleeper discloses an augmented point of sale (POS) system, also referred to as a promotional retailing system (PRS), that includes an auxiliary display device intended for viewing by a customer while the customer is conducting a retail transaction (Sleeper, Abstract). The auxiliary display device can display text, broadcast music or audio information, show video clips and other real-time dynamic media and display static images (Id.). For example, when ice cream is added to a list of items representing a retail transaction in a grocery store, certain promotional or product information may be displayed on the auxiliary display device based on the identity of the item (i.e., ice cream) (Sleeper, col. 7, ll. 22-26). Information indicating, for example, the availability of larger containers of ice cream may be displayed (Sleeper, col. 7, ll. 26-34 and FIG. 9). Sleeper also discloses that the POS system may include a printing device 110 that prints out a sales receipt at the end of the transaction, where the sales receipt may include a graphic image, promotional message or other types of advertising (Sleeper, col. 3, ll. 6-8 and 49-67, col. 4, ll. 31-36 and FIG. 1).

In the Office Action, the Examiner contends that Sleeper shows all the features of applicant's independent Claim 24 (Office Action, p. 2). Applicant respectfully disagrees. Sleeper does not disclose, *inter alia*, a coupon image database having accessible a coupon field for storage and retrieval of a coupon image, nor does Sleeper disclose a coupon generator that incorporates a related coupon image with purchase information for transmission to an output port. In fact, Sleeper fails to even mention coupons, much less

coupon images. Rather, as described above, Sleeper only discloses the display of promotional or product information related to a retail transaction, and a printed sales receipt that may include an image, promotional message or other types of advertising. The particular promotional information, product information and advertising information disclosed by Sleeper (see e.g., FIGS. 8-14 of Sleeper) are not coupons or coupon images.\*

Therefore, because Sleeper fails to show all the features of applicants' independent Claim 24, the 35 U.S.C. § 102 rejection of Claim 24 should be withdrawn. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claim 24.

#### **IV. 35 U.S.C. § 103 Rejection**

Applicant's independent Claims 1, 10, 19 and 25 include, amongst other things, the converting of a retrieved image (Claims 1, 10 and 25) or an image associated with downloaded image information (Claim 19) into a pixels matrix representation and the printing of at least one scan line by selectively printing pixels corresponding to the pixel matrix representation. Sleeper is summarized by applicant in the previous section.

In the Office Action, the Examiner acknowledges that Sleeper does not show these features of applicant's claims (Office Action, pp. 3-6). However, the Examiner contends that Sleeper teaches retrieving and printing images, and takes Official notice that converting an image into a pixels matrix representation and printing pixels corresponding to the representation are "well know [sic] in the art of printers." Thus, the

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\* For example, Merriam-Webster's Collegiate Dictionary (10th ed.) defines "coupon" as "a form surrendered in order to obtain an article, service, or accommodation." None of the promotional information, product information and advertising information disclosed by Sleeper is surrendered in order to obtain an article, service or accommodation.

Examiner contends that applicant's independent Claims 1, 10, 19 and 25 are obvious in view of Sleeper and the Official notice. Applicant respectfully disagrees with the Examiner's contentions.

First, applicant respectfully submits that Sleeper does not disclose retrieving and printing images as the Examiner contends. Rather, Sleeper only discloses that a printed receipt may "*include . . . a graphic image*" (Sleeper, col. 3, ll. 49-55; italics added). This does not mean that the Sleeper POS system retrieves the image for printing by printing device 110. For example, as described in applicant's specification, such an image may instead be pre-printed by a manufacturer on the receipt paper used by printing device 110 (Background section of applicant's specification, p. 1, ll. 15-20). Notably, when Sleeper discusses the printing of a receipt by printing device 110 at the end of a retail transaction, Sleeper does not disclose that printing device 110 prints image data on the receipt (Sleeper, col. 4, ll. 31-36). Moreover, Sleeper states that the printed receipt may "differ in format and content" from the display produced by the Sleeper auxiliary display device (Sleeper, col. 3, ll. 64-67). Thus, Sleeper fails to disclose the retrieving and printing of images as required by applicant's independent Claims 1, 10, 19 and 25.

Second, applicant respectfully disagrees with the Examiner's contention that the claimed invention is obvious in view of Sleeper and the Official notice. In particular, the Official notice taken by the Examiner -- i.e., that the converting of an image into a pixels matrix representation and that the printing of at least one scan line by selectively printing pixels corresponding to the pixel matrix representation were "well known in the art of printers" -- does not provide any suggestion or motivation to modify Sleeper to retrieve and print images, which would be required for the Examiner to establish a *prima facie*

case of obviousness under 35 U.S.C. § 103 (See MPEP 2143). The law is clear that an examiner cannot establish a *prima facie* case of obviousness by merely stating that modifications of the prior art would have been within the ordinary skill in the art at the time the claimed invention was made (*Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993)). The Examiner must also provide some objective reason to modify the prior art, and the Examiner cannot rely on the level of skill in the art to provide this reason (*Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308 (Fed. Cir. 1999)).

Therefore, because *Sleeper* taken alone or in combination with the Official notice fails to teach or suggest the invention defined by independent Claims 1, 10, 19 and 25, the 35 U.S.C. § 103 rejection of the independent claims and corresponding dependent Claims 2-9, 11-18, 20-23 and 26 should be withdrawn. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejections of Claims 1-23, 25 and 26.

If for any reason the Examiner decides to maintain the 35 U.S.C. § 103 rejection, or to make a new rejection involving the Official notice, applicant respectfully requests that the Examiner provide a reference in support of the Official notice, as is applicant's right under 37 C.F.R. § 1.104(c)(2) (see MPEP § 2144.03). Unsupported "Official notice" is insufficient without supporting documentation.

#### **V. The Amendments to the Claims**

Claims 1, 2, 10 and 17 have been amended to correct typographical errors. In particular, Claim 1 has been amended to insert the word --and--. Claim 2 has been amended to replace "1wherein" with --1 wherein--. Claim 10 has been amended to

replace "leasr" with --least--. Claim 17 has been amended to replace "UR" with --URL--.

No new matter has been added.

Claim 24 has been amended to replace "a plurality of coupon fields" with --at least one coupon field--. No new matter has been added. Support for this amendment can be found in the originally-filed application at, for example, page 9, lines 13-21.

**VI. Contingent Request for Telephonic Interview**

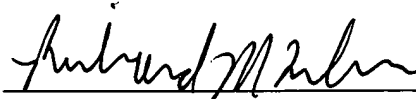
If for any reason the Examiner decides not to allow this application based on this Reply, applicants respectfully request a telephonic interview with the Examiner before the issuance of a final Office Action.

**VII. Conclusion**

Applicants respectfully submit that the foregoing demonstrates that this application is in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

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Respectfully submitted,



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